

**DEER PARK SCHOOL DISTRICT  
BOARD OF EDUCATION  
COMMITTEE MTGS./WORK SESSION (7:30 p.m.)  
ADMINISTRATION BUILDING  
TUESDAY- NOVEMBER 15, 2022**



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**Committee Meetings:** (enter through Administration building)

- 4:30 p.m. Wellness – Board Room
- 6:30 p.m. Special Ed – JFK Library
- 6:30 p.m. Technology – JFK Music Suite
- 7:00 p.m. Facilities – JFK Music Suite

**AGENDA ITEMS:**

- Committee Meeting updates
- Superintendent Conference Day update
- HS security system

**NEW BUSINESS:**

**1. DONATION OF A DRUM KIT TO THE FINE AND PERFORMING ARTS DEPARTMENT**

*Recommend that the Board of Education approve the following Resolution:*

**RESOLVED**, that the Board of Education accept a donation to the Fine and Performing Arts Department from Mr. Louis Governale, of a Tama Drum kit, with a value of approximately \$500.00.

## **2. FIRST READING OF POLICIES**

*Recommend that the Board of Education approve the following Resolution:*

**RESOLVED**, that the Board of Education approve the first reading of the following policies:

- #1230 – Public Comments at Board Meetings
- #2310 – Regular Meetings
- #2330 – Executive Sessions
- #2340 – Notice of Meetings
- #2342 – Agenda Preparation and Dissemination
- #2360 – Minutes
- #6680 – Internal Audit Function
- #8505- “Charging” School Meals and Prohibition Against Shaming
- #8635 – Parents’ Bill of Rights for Student Data Privacy and Security

## **3. RECYCLING OF I.T. EQUIPMENT**

*Recommend that the Board of Education approve the following Resolution:*

**RESOLVED**, that the Board of Education approve the recycling of various I.T. equipment consisting of projectors, printers, PC’s, chromebooks, fax machines, receivers, DVD players, servers, ipods, ups, laptops, cell phones, document cameras, macbooks, and keyboards (complete list in file).

### **DISCUSSION/APPROVAL:**

- HS Music in the Parks trip - 6/2 – 6/3/2023 to Hershey, PA
- RF Music in the Parks trip – 6/3/2023 to Dorney Park

**PUBLIC PARTICIPATION AT  
MONTHLY OPEN REGULAR BOARD MEETINGS**  
**PUBLIC COMMENT AT BOARD MEETINGS**

The Board of Education encourages public participation comment on school related matters at Board meetings. To allow for public participation members of the public to address the Board, a period not to exceed 30 minutes ~~shall~~ will be set aside during each Board meeting. The period may be extended by a majority vote of the Board.

Persons wishing to address the Board must sign in at least 5 minutes prior to the meeting commencing. The request ~~shall~~ will be made in writing on a form provided by the District Clerk prior to the start of the Board of Education meeting and shall include the name of the speaker, the address, telephone number, name of organization represented (if any), and a brief description of the topic to be addressed. The form must be completed in its entirety in order to speak at the meeting. Any group or organization wishing to address the Board must identify a single spokesperson. Speakers must be a district resident.

Presentation should be as brief as possible. No speaker will be permitted to speak for longer than five minutes. Speakers may not give unused time to other speakers. Speakers may comment on any matter related to district business, any agenda item; or matters related to agenda items specifically or district matters generally, depending on the public comment section.

The Board will not permit in public session discussion involving individual district personnel or students. Persons wishing to discuss matters involving individual district personnel or students should present their comments and/or concerns to the Superintendent during regular business hours.

All speakers and observers are to conduct themselves in a civil manner. Obscene language, libelous defamatory statements, threats of violence, statements advocating racial, religious, or other forms of prejudice will not be tolerated.

Persons making presentations at a Board meeting will address remarks to the President and may direct questions or comments to Board members or other district officials only upon the approval of the President. Board members and the Superintendent shall have the privilege of asking questions of any person who addresses the Board, but commenters should not expect to engage in discussion with the Board. However, the Board may correct comments that are not accurate, and may refer to an existing policy when it answers a questions. Every effort will be made to provide answers based upon available factual information. Questions requiring a review of policies or information not immediately available at a meeting will be referred for study and replied to at a future date (see Policy 2350.)

Questions and comments from the public concerning matters which are not on the agenda will be taken under consideration and referred to the Superintendent for appropriate action. Persons wishing to have matters included on the agenda shall will contact the Superintendent in accordance with Policy 2342, Agenda Preparation and Dissemination.

The President ~~shall~~ **will** be responsible for the orderly conduct of the meeting and ~~shall~~ **will** rule on such matters as the time to be allowed for public discussion and the appropriateness of the subject being presented, as outlined in this policy and applicable provisions of law and regulation, and subject to the Board's parliamentary procedure. If there is disagreement about whether a speaker's topic falls within the topics permitted for public comment, the whole board will vote on the issue. ~~The President shall have the right to discontinue any presentation which violates this policy.~~

The President will remind speakers whose presentations are inconsistent with this policy of the rules for public comment. For speakers that continue to violate this policy, the President may discontinue the presentation or call for a brief recess of the meeting. The President may order the removal of speakers from the speakers' area, or from the meeting in general, or may close the public comment period.

For members of the public who are unwilling or unable to speak during public comment periods, including when these periods are closed, they may submit comments to the Board in writing, to the following address: Deer Park Union Free School District, 1881 Deer Park Avenue, Deer Park, NY 11729. Complaints from the public are addressed in Board policy 1400.

All individuals at Board meeting are expected to abide by the rules of Public Conduct on School Property as set forth in the district's Code of Conduct. At board meetings, speakers and observers may not engage in behavior that disrupts the meeting, such as shouting, interrupting others, blocking the free movement of others, or obstructing the views of others. In the event of such disruption, the President will remind those in attendance of the rules under this policy. Any Board member may request a brief recess of the meeting. The President may order the removal of those who are a threat to the safety of others or who disrupt the orderly conduct of the meeting. If appropriate, law enforcement may be called to remove disruptive individuals.

Cross Ref: 1400. Public Complaints  
2342. Agenda Preparation and Dissemination  
5300. Code of Conduct

Ref: Appeal of Kushner, 49 EDR 263 (2010)  
Matter of Martin, 32 EDR 381 (1992)  
Appeal of Wittenben, 31 EDR 375 (1992)  
Matter of Kramer, 72 EDR 114 (1951)  
NYS Department of State, Committee on Open Government,  
OML-AO-#2696 (Jan. 8, 1997) and OML-AO-#2717 (Feb. 27, 1997), OML-AO-#3295 (4/16/2001),  
OML-AO-#3518 (8/30/2002), OML-AO-#4024 (8/23/2005), OML-AO #4044 (9/30/2005), OML-AO-#4141  
(2/24/2006), OML-AO-#4292 (12/6/2006), OML-AO-#4573 (3/3/2008), OML-AO-#5296 (6/12/2012),  
OML-AO-#5607 (2/22/2019)

Adoption Date: January 22, 2008  
First Reading: November 24, 2009  
Adoption date: December 22, 2009  
First Reading: October 27, 2015  
Adoption Date: November 10, 2015  
First Reading:

## REGULAR MEETINGS

In order to perform its duties in an open and public manner, and in accordance with state law, the Board of Education ~~shall~~ will hold regular business meetings once a month.

The time, dates and place of regular Board meetings ~~shall~~ will be established at the annual reorganizational meeting. In the event that the day appointed for a regular meeting falls on a legal holiday, the meeting ~~shall~~ will be rescheduled. All regular Board meetings are open to the public. ~~and meeting facilities shall provide access to persons with disabilities.~~ The district will make all reasonable efforts to ensure that the meeting facility provides barrier-free access to the physically handicapped, and accommodates all members of the public who wish to attend.

~~Board members are permitted to participate in board meetings via videoconferencing, in accordance with state law. Any site where videoconferencing is to take place must be open to the public. The district will comply with applicable notice requirements (see policy 2340). Videoconferencing of Board meetings is addressed in policy 2325.~~

In addition to the members of the Board, the following individuals will regularly attend the business meetings of the Board: the Superintendent of Schools, the Assistant Superintendent(s), and other specified personnel as deemed necessary.

Cross-ref: 2210, Board Reorganizational Meeting  
2325, Videoconferencing of Board Minutes  
2340, Notice of Meetings  
2360, Minutes

Ref: Public Officer's Law §§102, 103, 104

Adoption Date: January 22, 2008  
First Reading: January 22, 2013  
Second Reading: February 5, 2013  
Adoption Date: February 5, 2013  
First Reading: ~~February 5, 2008~~

## VIDEOCONFERENCING OF BOARD MEETINGS

### I. Videoconferencing – Locations Open to the Public

Members of the Board of Education may attend Board meetings by videoconference, if their location is open to the public, and appropriate public notice has been given as outlined in policy 2340, Notice of Meetings. Such members may participate in all aspects of the meeting, including establishing a quorum, discussions, and voting. Board members participating via videoconference must disclose the total number of people in attendance at that location. To promote the highest degree of confidentiality during executive session, such Board members must sign an affidavit that the only people, if any, present in the room during the executive session were authorized to be there.

The district will make all reasonable efforts to ensure that the facility of the primary meeting site provides barrier-free access to the physically handicapped, and accommodates all members of the public who wish to attend. Sites where a member participates via videoconference which are open to the public are not required to comply with these conditions.

### II. Videoconferencing Under Extraordinary Circumstances (Public Officers Law Section 103-a) – Locations Not Open to the Public

To utilize videoconferencing under extraordinary circumstances, a quorum of Board members must be present in the same physical location(s) where the public can attend the meeting. Board members videoconferencing under extraordinary circumstances can participate in meeting discussions and voting, and their locations are not required to be open to the public, but they do not count towards a quorum unless their locations are open to the public.

The in-person quorum requirement will not apply in the event of a declared state disaster emergency or local state of emergency, if the district determines that such emergency would affect or impair the district's ability to hold an in-person meeting.

To participate via videoconference under extraordinary circumstances, Board members must notify the Superintendent, District Clerk, or designee, as soon as the need arises, stating the extraordinary circumstance, no later than four business days prior to the meeting, in order to give proper notice to the public. The district will also notify the Board officers. If extraordinary circumstances arise within four business days prior to the meeting, the district will update its public notice as soon as practicable. If the district cannot update its public notice, the district may reschedule its meeting. Such notification may be made by any means (e.g., phone, electronically, in writing or in person), but the Board member should receive confirmation, so they know the request was received and approved.

If more than one Board member wishes to participate in the same meeting by videoconferencing under extraordinary circumstances, the district will consider the need for a quorum at locations where the public may attend. The district may reschedule meetings if appropriate.

The district will give public notice of meetings using videoconferencing under extraordinary circumstances pursuant to policy 2340).

This policy, or the district's written procedures for videoconferencing under extraordinary circumstances if a separate document, will be posted on the district website.

Except for properly convened executive sessions, all Board members (i.e., those attending both in person and via videoconferencing) must be able to be heard, seen and identified (e.g., their first and last name shown) during the meeting, including all motions, proposals, resolutions or any other matter formally discussed or voted upon.

All meetings that are broadcast or utilize videoconference technology will utilize technology that permits access by members of the public with disabilities, consistent with the Americans with Disabilities Act, as amended.

For all meetings involving videoconferencing under extraordinary circumstances, the district will provide members of the public the opportunity to view the meeting via video, and participate in public comment via videoconference in real time where public comment is authorized, to the same extent as in-person comment.

Minutes of meetings involving videoconferencing under extraordinary circumstances will include which members participated remotely.

All meetings where videoconferencing under extraordinary circumstances is used will be recorded, except those portions held in executive session. Recordings will be posted or linked on the district website within five business days of the meeting, and remain posted or linked for at least five years after the meeting. Recordings will be transcribed upon request.

Cross-ref:

- 1230. Public Comment at Board Meetings
- 2310. Regular Board Meetings
- 2320. Special Board Meetings
- 2340. Notice of Meetings
- 2360. Minutes

Ref:

- Public Officer's Law §§102; 103; 103-a; 104
- NYS Department of State, Committee on Open Government, Advisory Opinion OML-AO-#5575 (3/6/2018)
- "Questions and Answers, Chapter 56 of the Laws of 2022." NYS Committee on Open Government,
- <https://opengovernment.ny.gov/system/files/documents/2022/05/chapter-56-of-the-laws-of-2022-guidance-document-05-20-22.pdf>

First Reading

**EXECUTIVE SESSIONS**

The Board of Education may hold executive sessions at which only the members of the Board or persons invited by the Board **shall may** be present. However, the executive session is only available for the purpose of discussion, and except as the law allows, formal action must be taken in an open session.

Executive sessions can be requested by any member of the Board or the Superintendent of Schools.

A Board member must make a motion during an open meeting to convene in executive session. Upon a majority vote of its members, the Board may convene in executive session at a place which the Board President or said members may designate within the district to discuss the subjects enumerated below. Matters which may be considered in executive session are:

1. matters which will imperil the public safety if disclosed;
2. any matter which may disclose the identity of a law enforcement agent or informer;
3. information relating to current or future investigation or prosecution of a criminal offense which would imperil effective law enforcement if disclosed;
4. discussions regarding proposed, pending or current litigation;
5. collective negotiations pursuant to Article 14 of the Civil Service Law (the Taylor Law);
6. the medical, financial, credit or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation;
7. the preparation, grading or administration of examinations; and
8. the proposed acquisition, sale, or lease of real property or the proposed acquisition of securities, or sale or exchange of securities, but only when publicity would substantially affect the value thereof.

Matters which may *only* be considered in executive session are:

9. discussions concerning probable cause to bring disciplinary charges against a tenured teacher; and
10. discussions concerning the evaluation and/or placement of students with disabilities.

The vote to go into executive session **shall must** be detailed enough to allow the public to understand the topic the Board will be discussing, without disclosing specifics. Discussion in executive session **shall will** be limited to the topic(s) identified in the motion.



Individual Board members, acting on their own, ~~shall~~ **cannot** disclose matters discussed in a **properly convened** executive session. However, the Board, acting as a whole, may decide to disclose such information where disclosure is not prohibited under the law. **Additionally, disclosure of such information is not prohibited where it is warranted to appropriate law enforcement entities for investigation and possible action, or where a board member is compelled to reveal the information in a court case.**

Individual Board members, acting on their own, can not disclose matters discussed in a properly convened executive session. However, the Board, acting as a whole, may decide to disclose such information where disclosure is not prohibited under the law. Additionally, disclosure of such information is not prohibited where it is warranted to appropriate law enforcement entities for investigation and possible action, or where a board member is compelled to reveal the information in a court case.

Minutes ~~shall~~ **will** be taken at executive sessions of any action that is taken by a formal vote and should consist of a record or summary of the final determination of such action and the date and vote thereon, provided, however, that such summary ~~shall~~ **need** not include any matter which is not required to be made public by the Freedom of Information Law. Minutes taken ~~shall~~ **will** be available to the public within one week from the date of the executive session.

Cross-ref: 2160, Code of Ethics

Ref: Education Law §1708 (3)  
Public Officers Law §§100 et seq.  
**Appeal of Rivers, 60 EDR Dec. No 17, 989 (2021)**  
Application of the Board of Education, 57 EDR Dec. No. 17,147 (2017)  
Application of Nett and Raby, 45 EDR 259 (2005)  
Formal Opinion of Counsel No. 239, 16 EDR 457 (1976)

Adoption Date: January 22, 2008  
First Reading: January 23, 2018  
Adoption Date: February 6, 2018  
First Reading: 1

## NOTICE OF MEETINGS

~~The Board of Education believes that public notice of its activities is essential to ongoing, proactive cooperation between the Board and the community it serves. The time, date and place of regular Board meetings is established at the reorganizational meeting.~~

~~To this end, and in accordance with state law, notice of meetings shall be sent to all members of the Board, Superintendent of Schools, District Treasurer, and to the newspapers of the district. The time, date and place of regular Board meetings are established at the Reorganizational Meeting.~~

For all regular and scheduled special meetings of the Board of Education, the District Clerk will give adequate notice to all members and to the community, including posing notice of the time and place of meetings on the district website.

If a meeting is scheduled at least a week in advance, notice ~~must~~ will be given or electronically transmitted to the public by posting in one or more designated public places not less than at least 72 hours prior to the meeting. A special meeting may be called upon 24-hour notice to Board members.

When a meeting is scheduled less than a week in advance the Board ~~shall~~ will provide or electronically transmit public notice to the extent practicable. Said notice ~~shall~~ will be conspicuously posted in one or more designated public locations, including the district's website.

~~If a board member intends to participate in a board meeting via videoconference, If videoconferencing is used to conduct a meeting where remote locations are open to the public, the public notice of for the meeting will indicate that videoconferencing will be used, specify the location(s) for the meeting, and state that the public may attend at any of the locations.~~

~~In the case of a special meeting, notification by telephone will be permitted. In such case, the District Clerk will submit a statement to the Board certifying to the day and hour of telephoned notification and/or unsuccessful attempts to notify. Such statements are to be incorporated in the minutes of the special meeting concerned.~~

If videoconferencing under extraordinary circumstances is used to conduct a meeting, the public notice for the meeting will include that conferencing will be used, where the public can view and/or participate in such meeting, where required documents and records will be posted or available, and identify the physical location for the meeting where the public can attend.

If a meeting will be streamed over the internet, notice will indicate the internet address of the website streaming the meeting.

## AGENDA PREPARATION AND DISSEMINATION

The Superintendent of Schools, in consultation with the President of the Board of Education, will prepare all agendas for meetings of the Board according to the order of business, to facilitate orderly and efficient meetings, and to allow Board members sufficient preparation time.

The agenda for regular Board meetings will be prepared on Fridays prior to the date of regular Board meetings. Requests for items to be included on the agenda, along with any background information, shall be forwarded to the Superintendent or Board President at the close of the working day on the Thursday prior to the Friday of agenda preparation.

Individuals wishing to be heard at a Board meeting shall advise the Superintendent in advance. The agenda, however, shall always allow for recognition and comments by members of the public (see Policy 2350.) Items of business introduced from the floor will not be acted upon at the same meeting.

Not less than two business days prior to each meeting, the Superintendent will supply to each Board member a copy of the agenda with related briefing materials, papers, and proposals to assist Board members in preparing for orderly and informal preparation of the meeting. Advance dissemination of the agenda shall be the responsibility of the District Clerk.

Copies of the agenda will be available to the public on the district's website prior to the meeting. The agenda and supporting material to be discussed at the board meeting that is permissible to be released to the public will be posted on the district's website, to the extent practicable, two days before the meeting.

Dissemination of Information Procedures – as per attached grid

Cross-ref:  
2350, Board Meeting Procedures

Ref:  
Public Officers Law §103(e)

Adoption Date: January 22, 2008  
First Reading: October 12, 2010  
Second Reading: November 30, 2010  
Amended Date: November 30, 2010  
First Reading: July 31, 2012  
Second Reading: August 28, 2012  
Adoption Date: August 28, 2012  
First Reading: August 5, 2014  
Second Reading: August 26, 2014  
Adoption Date: August 26, 2014  
First Reading: .

## MINUTES

The Board of Education believes that open and accurate communication regarding its internal operations enhances the district's public relations program and provides a record of the district's progress towards its annual goals. Therefore, the board will maintain a complete and accurate set of minutes of each meeting, in accordance with law.

~~Therefore, minutes of meetings of the Board will be kept by the District Clerk. The minutes will set forth:~~

- ~~1. the date, time, Board members and staff present at the meeting;~~
- ~~2. written reports of the Superintendent of Schools and his/her staff;~~
- ~~3. proposals, motions made, seconded, carried or defeated, with the record of the final vote of each Board member;~~
- ~~4. headings of subjects discussed and special points made.~~

~~If a Board member is not present at the opening of a meeting, the subsequent arrival time of such member shall be indicated in the minutes.~~

~~Such~~ The minutes shall will constitute the official record of proceedings of the Board and shall be open to public inspection and posted on the district website within one week of executive sessions and within two weeks of all other meetings. Minutes which have not been approved by the Board within this time frame shall be marked, "DRAFT." A draft of the minutes of each meeting is to be forwarded to each member of the Board not later than the time the agenda for the next open meeting is disseminated.

~~The District Clerk will make copies of Board minutes available to the Office of the Superintendent for distribution to all schools in the district. Within each school building, the Principal will provide a permanent, public bulletin board notice of the availability of Board meeting minutes, or will post the current minutes on a public bulletin board.~~ be responsible for taking the minutes and will present the draft minutes to each member of the board prior to the next open board meeting. The minutes will conform to an established format.

~~One copy of Board minutes will be sent to the President of the Teachers Association as soon as possible after its approval.~~

All motions, proposals, resolutions, and any other matters formally voted upon by the Board will be recorded in Board minutes. The minutes will record the final vote of the Board members.

If a Board member is not present at the opening of a meeting, the subsequent arrival time of such member will be indicated in the minutes. The minutes of any meeting involving videoconferencing under extraordinary circumstances will include which Board members participated remotely.

### INTERNAL AUDIT FUNCTION

The Board of Education recognizes its responsibility to ensure sound fiscal management of the district. To this end, the Board establishes an internal audit function to carry out the following tasks:

- Develop an annual risk assessment of district fiscal operations which shall include but not be limited to:
  - a. a review of financial policies and procedures,
  - b. the testing and evaluation of district internal controls;
- An annual review and update of such risk assessment; and
- Prepare reports, at least annually or more frequently as the Board may direct, which:
  - a. analyze significant risk assessment findings,
  - b. recommend changes for strengthening controls and reducing identified risks, and
  - c. specify timeframes for implementation of such recommendations.

To fulfill this function, the district may use inter-municipal cooperative agreements, BOCES shared services, or independent contractors as long as such personnel or entities performing the internal audit function comply with the Regulations of the Commissioner and meet professional auditing standards for independence between the auditor and the district. The district may also use existing personnel to fulfill this function but only if such persons shall not have any responsibilities for other business operations of the district while performing such function.

Personnel or entities performing this function shall report directly to the Board. The district's audit committee shall assist in the oversight of this internal audit function.

Cross Ref: 6690, Audit Committee

Ref: Education Law §2116-b  
8NYCRR §170.12(b)

Adoption Date: January 22, 2008  
First Reading: December 16, 2008  
Second Reading: January 27, 2009  
Amended Date: January 27, 2009  
First Reading:

**MEAL CHARGE**  
**“CHARGING” SCHOOL MEALS AND**  
**PROHIBITION AGAINST SHAMING**

I. Purpose

The goal of the Deer Park School District is to provide student access to nutritious, no- or low-cost meals each school day and to ensure that a pupil whose parent/guardian has unpaid school meal fees is not shamed or treated differently than a pupil whose parent/guardian does not have unpaid meal fees.

Unpaid charges place a large financial burden on our school. The purpose of this policy is to insure compliance with federal requirements for the USDA Child Nutrition Program and to provide oversight and accountability for the collection of outstanding student meal balances to ensure that the student is not stigmatized, distressed or embarrassed.

The intent of this policy is to establish procedures to address unpaid meal charges throughout the Deer Park Union Free School District in a way that does not stigmatize, distress or embarrass students. The provisions of this policy pertain to regular priced reimbursable school breakfast and lunch meals only. The Deer Park Union Free School District provides this policy as a courtesy to those students in the event that they forget or lose their money. Charging of items outside of the reimbursable meals (a la carte items, adult meals, etc.) is expressly prohibited.

II. Policy

- Free Meal Benefit - Free eligible students will be allowed to receive a free breakfast and lunch each day. A la carte purchases must be paid/prepaid.
- Reduced Meal Benefit - Reduced eligible students will be allowed to receive a breakfast for \$.25 and lunch for \$.25 each day. All students will be allowed to charge a maximum of 5 (five) meals (Ref. Deer Park Board of Education Policy 8505) to his/her account after the balance reaches zero. The charge meals offered to students will be reimbursable meals that are available to all students.
- Full Pay Students – Students will pay for meals at the school’s published paid meal rate each day. If a student is without meal money on a consistent basis, the administration will investigate the situation more closely and take further action as needed. If financial hardship exists,

parents and families are encouraged to apply for free or reduced price lunches for their child if applicable. Applications can be found on our webpage at <http://deerparkschools.org> under the Parents/Students tab – ‘School Lunch Information.’ All students will be allowed to charge a maximum of 5 (five) meals to his/her account after the balance reaches zero. The charge meals offered to students will be reimbursable meals that are available to all students.

- Parents/Guardians are responsible for meal payment to the food service program. Parents/Guardians will be notified of outstanding charges by telephone or email.
- Students/Parents/Guardians may pay for meals in advance via <http://deerparkschools.org/parentsstudents/myschoolbucks> or with a check payable to Deer Park School District. Further details are available on our webpage at <http://deerparkschools.org> under the Parents/Students tab. Funds should be maintained in accounts to minimize the possibility that a child may be without meal money on any given day. Any remaining funds for a particular student may/will be carried over to the next school year.
- Refunds for withdrawn, and graduating students; a written or e-mailed request for a refund of any money remaining in their account must be submitted.
- Unclaimed Funds must be requested within one school year. Unclaimed funds will then become the property of the Deer Park School District Food Service Program.
- Balances Owed collection of owed balances will follow procedures set by the school.

The following plan outlines how the District will achieve the goal of “prohibition against meal shaming”:

#### 1. Policy

In the event a student with reduced price meal benefits or a student who pays full price has exceeded his or her charging allowances of 5 meals to his or her account, such student will be provided with the student’s meal of choice for that school day unless the student’s parent or guardian has specifically provided written permission for the District to withhold a meal. If said permission is granted by the student’s parent or guardian, it will be noted on the student’s account and the appropriate personnel will be notified. If a meal is provided, the charge will be made to the student’s account which shall be paid by the student’s parent or

guardian. Under no circumstances will a student have access to a la carte items if he or she has unpaid meals on account.

## 2. Ongoing Staff Training

The food service management company shall provide specific training to its staff at the beginning of each school year regarding the discreet treatment of students who are eligible for free or reduced-price meals or who have a negative balance on his or her account. School personnel, specifically cafeteria aides and teachers, shall be trained at the beginning of each school year regarding the appropriate treatment of students with excessive charges on his or her account. Under no circumstances shall any staff member have the permission to announce the negative balance or take a meal away so not to publicly embarrass or distress the student. School social workers and school principals shall be notified of students who have excessive meal charges so assistance can be provided to the parent or guardian. Such assistance may be a reminder of the negative account balance or help in completion of an application for free or reduced-price meals.

## 3. Parent Notification

The District has an automated calling system through MySchoolBucks for students with unpaid meal charges. Phone calls are made on a daily basis until the balance is paid. If necessary, the District will work out a re-payment schedule for the parent or guardian.

School social workers shall be provided, on a monthly basis, with a listing of students with unpaid meal charges. For any student who owes money for five or more meals, the social worker shall:

- a. make every attempt to determine if a student is directly certified to be eligible for free meals. The District Administrator for Human Resources or designee shall review the Direct Certification database on a regular basis.
- b. will make at least two documented attempts to reach the student's parent or guardian and have the parent or guardian fill out a free or reduced-price meal application.
- c. will contact the parent or guardian to offer assistance with a free or reduced—price meal application. Additionally, the school social worker will determine if there may be other issues that have caused the child to have insufficient funds to purchase a school meal. Any other assistance shall be provided to remedy the situation as appropriate.

## 4. Minimizing Student Distress



Appropriate training of staff will ensure a decrease in student distress or embarrassment. Prohibited actions are as follows but not limited to:

- a. Publicly identifying or stigmatizing students who cannot pay for a meal or who owes money for meal debt.
- b. Requiring a student to wear a wristband or hand stamp
- c. Requiring a student to do chores or work to pay for the meal
- d. Removing the meal from the student's tray or requiring a student to throw the meal away after it has been served.
- e. Speaking to the student directly (in private or in front of other students) regarding his or her outstanding meal debt
  - i. The District shall attempt to collect unpaid school meals from the parent or guardian and shall not use a debt collector.

5. Ongoing Eligibility Certification

At the beginning of each school year, the school district mails printed free or reduced-price meal applications to every family with a child enrolled in school. Additionally, applications are included in every registration packet and are available in every school throughout the school year.

If the principal or social worker determines or becomes aware a child is eligible for free or reduced-price meals (after unsuccessful attempts to contact the parent or guardian) the principal or social worker shall use administrative prerogative and complete and file an application for the student pursuant to title seven, section 235.6(d) of the code of federal regulations.

School liaisons for homeless, foster and migrant students shall coordinate with the District Administrator for Human Resources or designee to make sure such students receive free school meals in accordance with federal law.

This plan is not intended to allow for the unlimited accrual of debt for unpaid meals. Schools will provide at least two additional free and reduced price meal applications throughout the school year to families identified as owing meal charges. Each meal that is given to the student with an unpaid balance shall be charged to the student's account. School staff shall make every attempt to collect the debt through procedures contained above.

Ref: 42 USC § 1779 (Child Nutrition Act of 1966)

42 USC § 1758(f)(1); 1766(a) (National School Lunch Act)

Adoption Date: January 22, 2008

Adoption Date: December 22, 2009

Adoption Date: July 21, 2010

First Reading: December 21, 2010

Adoption Date: January 25, 2011

First Reading: August 8, 2017

Adoption Date: August 29, 2017

First Reading: November 28, 2017

Adoption Date: December 12, 2017

First Reading: May 22, 2018

Adoption Date: June 5, 2018

First Reading: 1

## PARENTS' BILL OF RIGHTS FOR STUDENT DATA PRIVACY AND SECURITY

The Deer Park School District, in recognition of the risk of identity theft and unwarranted invasion of privacy, affirms its commitment to safeguarding student personally identifiable information (PII) in educational records from unauthorized access or disclosure in accordance with State and Federal law. The Deer Park School District establishes the following parental bill of rights:

- Student PII will be collected and disclosed only as necessary to achieve educational purposes in accordance with State and Federal Law.
- The district and its schools, and third-party contractors and subcontractors, will not sell student PII or use or disclose it for any marketing or commercial purposes or facilitate its use or disclosure by any other party for any marketing or commercial purpose or permit another party to do so;
- Parents have the right to inspect and review the complete contents of their child's education record (for more information about how to exercise this right, see 5500-R);
- State and federal laws, such as NYS Education Law §2-d and the Family Educational Rights and Privacy Act, protect the confidentiality of students' personally identifiable information. Safeguards associated with industry standards and best practices, including but not limited to, encryption, firewalls, and password protection, must be in place when data is stored or transferred;
- A complete list of all student data elements collected by the State Education Department is available for public review at <http://nysed.gov/data-privacy-security/student-data-inventory> or by writing to: Chief Privacy Officer, New York State Education Department, 89 Washington Avenue, Albany, NY 12234
- Parents have the right to have complaints about possible breaches and unauthorized disclosures of student data addressed. Complaints should be directed to Jay Murphy, District Administrator for Instructional Technology, (631) 274-4380, [murphy.j@deerparkschools.org](mailto:murphy.j@deerparkschools.org). Complaints can also be directed to the New York State Education Department online at <http://nysed.gov/data-privacy-security/report-improper-disclosure>, by mail to the Chief Privacy Officer, New York State Education Department, 89 Washington Avenue, Albany, NY 12234 or by email to [privacy@nysed.gov](mailto:privacy@nysed.gov) or by telephone at 518-474-0937.
- Parents have the right to be notified in accordance with applicable laws and regulations if a breach or unauthorized release of their student's PII occurs.

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- All district and school employees and officers with access to PII will receive annual training on applicable federal and state laws, regulations, district and school policies and safeguards which will be in alignment with industry standards and best practices to protect PII
- In the event that the District engages a third party provider to deliver student educational services, the contractor or subcontractors will be obligated to adhere to State and Federal Laws to safeguard student PII. Parents can request information about third party contractors by accessing the information on the district's website at [www.deerparkschools.org](http://www.deerparkschools.org).

**PARENT BILL OF RIGHTS FOR STUDENT  
DATA PRIVACY AND SECURITY  
THIRD PARTY CONTRACTOR SUPPLEMENT**

The *(insert name of contractor)* has been engaged by the Deer Park School District to provide services. In this capacity, the company may collect, process, manage, store or analyze student or teacher/principal personally identifiable information (PII).

The *(insert name of contractor)* will provide the district with *(describe specific purpose for which the PII will be used)*.

The *(insert the name of contractor)* will ensure that subcontractors or others that the company shares PII will abide by data protection and security requirements of district policy, and state and federal law and regulations by *(describe methods/procedures to safeguard data use by subcontractors)*.

PII will be stored *(describe the location in a manner that protects data security)*.

Parents may challenge the accuracy of PII held by *(insert name of contractor)* by contacting *(insert contact information, including title, phone number, mailing address and email address)*.

The *(insert name of contractor)* will take reasonable measures to ensure the confidentiality of PII by implementing the following *(describe the following, as applicable)*:

- Password protections
- Administrative procedures
- Encryption while PII is in motion and at rest
- Firewalls

The contractor's agreement with the district begins on *(insert date)* and ends on *(insert date)*. Once the contractor has completed its service to the district, records containing student PII will be *(select one: destroyed or returned)* by *(insert date)* via the following *(insert method if destroyed or format if returned)*.